

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

BAB SYSTEMS, INC., an Illinois corporation,

Plaintiff,

v.

STEINMAN & STEINMAN, INC., a Florida corporation, MARC STEINMAN, LEE STEINMAN, individually and as personal representative of the ESTATE OF MARVIN STEINMAN and MARA HENDERSON,

Defendants.

Case No. 08 CV 3737

Judge George W. Lindberg

Magistrate Judge Jeffrey Cole

MOTION FOR ENTRY OF ATTACHED AGREED ORDER

Plaintiff BAB Systems, Inc., by its attorneys Marc P. Seidler and John A. Hughes, hereby moves for entry of the attached Agreed Order.

Respectfully submitted,

BAB SYSTEMS, INC.

s/ Marc P. Seidler

Marc P. Seidler (02544202)
John A. Hughes (06275159)
DLA PIPER US LLP
203 North LaSalle Street, Ste. 1900
Chicago, Illinois 60601
Phone No.: 312-368-2160
Fax No.: 312-251-2194

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

BAB SYSTEMS, INC., an Illinois corporation,)	
)	
Plaintiff,)	
)	
v.)	Case No. 08 CV 3737
)	
STEINMAN & STEINMAN, INC., a Florida corporation, MARC STEINMAN, LEE STEINMAN, individually and as personal representative of the ESTATE OF MARVIN STEINMAN and MARA HENDERSON,)	Judge George W. Lindberg
)	Magistrate Judge Jeffrey Cole
Defendants.)	
)	

AGREED ORDER

This matter being heard on Plaintiff BAB Systems, Inc.'s ("Plaintiff") Petition to Compel Arbitration Against Defendants Steinman & Steinman, Inc., Marc Steinman, Lee Steinman, individually and as personal representative of the Estate of Marvin Steinman and Mara Henderson ("Defendants"), and by the agreement of the parties,

IT IS HEREBY ORDERED that:

1. All claims asserted by Plaintiff against Defendants in the arbitration pending in Chicago, Illinois before the American Arbitration Association, entitled "BAB Systems, Inc. and Steinman & Steinman, Inc.; Lee Steinman; Marc Steinman; Mara Henderson," Case No. 51 114 00787 08 (the "Arbitration"), and all claims of Defendants against Plaintiff, including those asserted by Plaintiffs in the First Judicial Circuit Court, Okaloosa County, Florida in the case entitled "Steinman & Steinman, Inc. v. BAB Systems, Inc., et al.," as Case No. 2008-CA-3206 (the "State Court Action") shall be submitted for binding arbitration in the Arbitration, and the

State Court Action shall, by the agreement of the parties, be stayed as to Plaintiff pending the award of the arbitrator in the Arbitration.

2. Any claims of Plaintiff against Defendants or Defendants against Plaintiff may be submitted in the Arbitration as claims or counterclaims, as the case may be, but shall not be asserted in any judicial proceeding.

3. This Court shall retain jurisdiction of this action and the parties for the purposes of enforcing the arbitrator's award in the Arbitration.

4. Nothing in this agreement shall constitute an admission of liability by Defendants with respect to any matter or claim asserted by Plaintiffs in this case. Any claim for attorneys' fees or costs by any party shall be arbitrable.

AGREED:

BAB SYSTEMS, INC., Plaintiff

By: s/Marc P. Seidler
One of Its Attorneys
Marc P. Seidler (02544202)
John A. Hughes (06275159)
DLA Piper US LLP
203 N. LaSalle, Ste. 1900
Chicago, IL 60601

STEINMAN & STEINMAN, INC.,
MARC STEINMAN, LEE STEINMAN,
individually and as personal representative
for the Estate of Marvin Steinman and
MARA HENDERSON

By: s/Jeremy P. Kreger
One of the Attorneys for Defendants
Carmen D. Caruso
Jeremy P. Kreger
Stahl Cowen Crowley Addis LLC
55 W. Monroe, Ste. 1200
Chicago, IL 60603

ORDERED:

United States District Court Judge

Dated: August __, 2008